

Panaji, 23rd August, 2002 (Bhadra 1, 1924)

SERIES I No. 21

OFFICIAL GAZETTE



GOVERNMENT OF GOA

SUPPLEMENT

GOVERNMENT OF GOA

Goa Legislature Secretariat

LA/F-2/3660/2001

The following Bill which was introduced in the Legislative Assembly of the State of Goa on 22-8-2002 is hereby published for general information in pursuance of the provisions of Rule-138 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

The Goa Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Bill, 2002

(Bill No. 12 of 2002)

A

BILL

further to amend the Goa, Daman and Diu Motor Vehicles (Taxation on Passengers and Goods) Act, 1974.

BE it enacted by the Legislative Assembly of Goa in the Fifty-third Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Act, 2002.

(2) It shall come into force at once.

2. *Amendment of Schedule.*— In the Schedule appended to the Goa, Daman and Diu Motor

Vehicles (Taxation on Passengers and Goods) Act, 1974 (Act 7 of 1974), in clause (1), in sub-clause (a)- (i) for item (iii), the following shall be substituted, namely:—

“(iii) Vehicles in respect of which permits have been issued under section 88 (9) of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), registered in the State of Goa:—

(i) For a big bus, rupees one hundred per seat per month or rupees three thousand five hundred per month, whichever is higher.

(ii) For a mini bus, rupees one hundred per seat per month or rupees two thousand five hundred per month, whichever is higher.

(iii) For maxi-cabs, rupees one hundred per seat per month.”

(ii) for item (iv), the following shall be substituted, namely:—

“(iv) Vehicles in respect of which permits have been issued under section 88 (9) of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), registered in a State other than the State of Goa and plying in the State of Goa:—

(i) For a big bus, rupees two hundred per seat per month or rupees seven thousand per month, whichever is higher;

(ii) For a mini bus, rupees two hundred, per seat per month or rupees five thousand per month, whichever is higher."

Statement of Objects and Reasons

The Bill seeks to amend the Schedule appended to the Goa, Daman and Diu Motor Vehicles (Taxation on Passengers and Goods) Act, 1974 (Act 7 of 1974), so as to increase the composition fee specified in the said Schedule in respect of vehicles which have been issued permits under section 88(9) of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), as a measure of additional resource mobilisation.

Financial Memorandum

The Bill seeks to increase the composition fee specified in the Schedule to the Goa, Daman and Diu Motor Vehicle (Taxation on passengers and Goods) Act, 1974 (Act 7 of 1974), in respect of vehicles which have been issued permits under section 88(9) of the Motor Vehicle Act, 1988 (Central Act 59 of 1988), and this increase in fees would result in revenue collection of rupees seventy lakhs from vehicles registered outside the State of Goa and rupees thirty lakhs from vehicles registered within the State of Goa, approximately.

Memorandum Regarding Delegated Legislation

No delegated Legislation is envisaged in this Bill.

Panaji.
21st August, 2002.

PANDURANG MADKAIKAR
Minister for Transport

Assembly Hall,
Porvorim, Goa.
21st August, 2002.

SUDHIR NARVEKAR
Secretary to Legislative
Assembly of Goa

Governor's recommendation under Article 207 of the Constitution

In pursuance of Article 207 of the Constitution, the Governor of Goa has recommended to the Legislative Assembly of Goa, the introduction and consideration of the Goa Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Bill, 2002.

Annexure to Bill No. 12 of 2002

The Goa Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Bill, 2002

The Goa, Daman and Diu Motor Vehicles (Taxation on Passengers and Goods) Act, 1974

SCHEDULE

(See section 14)

(1) The composition fee referred to in section 14 shall be calculated for the entire unexpired period of the currency of the permit or for a period of the currency of the permit or for a period of one month, whichever is less, at the rate—

(a) in the cases of motor vehicles carrying or adapted to carry more than six persons excluding driver, plying for hire or reward and used for transport of passengers and in respect of which permits have been issued under the Motor Vehicles Act, 1988 (Central Act 59 of 1988).

(i) Vehicles permitted to ply as State carriages— Rupees two per seat per year per kilometer of the total daily kilometers permitted or at the option of the operator, Rupees thirty per seat per month.

Explanation.— Where stage carriage is permitted carry standing passengers, one third of the fee per seat referred to in clause

(i) shall also be payable in respect of each of the standing passengers aforesaid as if seating accommodation had been provided for them.

(ii) vehicles permitted to ply as contract carriages— Fifty rupees per seat per month.

(iii) vehicles in respect of which permits have been issued under section 88 (9) of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) —Seventy rupees per seat per month.

(iv) vehicle in respect of which permits have been issued under section 88(9) of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), registered in a State other than the State of Goa and plying in the State of Goa - Rupees one hundred per seat per month.

(b) In the case of goods carriages of which the gross vehicles weight—

(i) does not exceed 1000 kgs.— Rupees forty-five per month.

(ii) exceeds 1000 kgs. but does not exceed 2000 kgs.— Rupees eighty per month.

(iii) exceeds 2000 kgs. but does not exceed 4000 kgs.— Rupees ninety per month.

iv) exceeds 4000 kgs. but does not exceed 7000 kgs.— Rupees ninety-five per month.

(v) exceeds 7000 kgs. but does not exceed 9500 kgs.— Rupees one hundred per month.

(vi) exceeds 9500 kgs. but does not exceed 12000 kgs.— Rupees one hundred ten per month.

(vii) exceeds 12000 kgs. but does not exceed 15000 kgs.— Rupees one hundred twenty-five per month.

(viii) exceeds 15000 kgs.— Rupees one hundred thirty five per month.

(2) An application for the grant or renewal of permission to pay the composition fee mentioned

above, shall be made not less than fifteen days before the commencement of the period for which the tax is intended to as compounded, provided that the Tax Officer may, in any case, for reasons to be recorded by him in writing, permit the application to be made not later than fifteen days from such commencement, and the application shall be accompanied by a receipt evidencing the payment into a Government treasury of the composition fee."

Assembly Hall,
Porvorim, Goa.
21st August, 2002.

SUDHIR NARVEKAR
Secretary to Legislative
Assembly of Goa.